



State of New Jersey
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF VETERINARY MEDICAL EXAMINERS
124 HALSEY STREET, 6TH FLOOR, NEWARK NJ

CHRISTINE TODD WHITMAN
Governor

PETER VERNIERO
Attorney General
MARK S. HERR
Director

Mailing Address:
P.O. Box 45020
Newark NJ 07101
(973) 504-6500

May 4, 1999

Samuel Rubin
RUBIN VETERINARY HOSPITAL
222 South Shore Road
Marmora, NJ 08223

RE: File #99-002
(Lyons)

Dear Dr. Rubin:

This is to advise you that the Board of Veterinary Medical Examiners has received and reviewed certain information regarding activity in which you were engaged as a Board licensee. The Board's initial review discloses what appears to be a violation of N.J.S.A. 45:1-21.d in that you dispensed medication without proper labeling consistent with N.J.A.C. 13:44-4.1 and you under prescribed medication to this animal which resulted in administering a dose which was ineffective for the animal, constituting repeated acts of negligence, malpractice or incompetence.

You are hereby offered the opportunity to settle this matter and avoid the initiation of formal disciplinary proceedings by signing the enclosed certification form and paying a civil penalty in the amount of **\$1,000.00**. Alternatively, you may waive your right to a hearing and submit a written statement or explanation to the Board. The Board will consider this statement and render a final decision. You may also request a hearing in which case the matter will be scheduled and this notice will serve as a complaint. At the hearing you may, either personally or with the assistance of an attorney, submit such testimony or other evidence as you may deem necessary in order for the Board to finally determine whether the unlawful acts set forth herein have been proven.

Samuel Rubin

May 4, 1999

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You should also be aware that upon final evaluation of the evidence submitted at the hearing, the Board may, if unlawful acts are found to exist, assess civil penalties in an amount greater than that herein offered in settlement. Additionally, the Board may, if the facts are found to so warrant, enter an Order requiring the restoration of any monies acquired by unlawful acts, the payment of costs and directing that you cease and desist from continued use of those acts found to be unlawful.

The enclosed certification form **must** be returned to the Board with your indicated course of action within ten (10) days following receipt hereof. In the event that the Board receives no response within ten (10) days, the Board will consider you in default, the allegations contained herein shall be deemed admitted, and the Board will proceed to finally review this matter and enter an appropriate Final Order.



Yours very truly,

BOARD OF VETERINARY
MEDICAL EXAMINERS



DIANE I. ROMANO
Executive Director

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RUBIN'S VETERINARY HOSPITAL		10426	
SAMUEL RUBIN, D.V.M.			
222 SOUTH SHORE ROAD			
MARMORA, NJ 08223			
DATE <u>5/10/99</u>		55-33/212	
PAY TO THE ORDER OF <u>New Jersey Board Veterinary Medical Examiners</u>		\$ <u>1000.00</u>	
<u>One Thousand Dollars and 00/100</u>		DOLLARS 	
			
93228 Somers Point Office Somers Point, New Jersey 08244			
FOR <u>99-002</u>		<u>Samuel R. Rubin</u>	
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